

REMARKS

There remains pending in this application claims 1-5, of which claim 1 is independent. No claims have been added or cancelled.

There is accompanying this Amendment a replacement drawing to replace Figure 3, which appears on sheet 3 of the drawings. Figure 3 has been revised to change reference numeral "154" identifying the lower discharge tray to reference numeral --155--, which corresponds to the description in the specification on page 23. Entry of this amendment and acceptance of the replacement sheet is respectfully sought.

The invention as recited in independent claim 1 is directed to a sheet discharging apparatus. The apparatus comprises a sheet discharging unit which discharges a sheet from a sheet discharge port of the sheet discharging unit, a charge eliminating member which is disposed at the sheet discharge port, and which eliminates static electricity in the sheet discharged from the sheet discharge port, and a sheet stacking unit, being able to ascend and descend passing the sheet discharge port, on which the sheet discharged by the sheet discharge unit is stacked. The invention is further characterized in that the charge eliminating member is disposed so that its tip portion is directed along the sheet discharging direction from an upstream side toward the downstream side of the sheet discharging direction and wherein the charge eliminating member is contactable with an end of the sheet stacked on the sheet stacking unit.

Independent claim 1 was rejected under 35 U.S.C. § 102(b) as being anticipated by either Murakami et al. or Bromage. In view of the above amendments and the following remarks, the rejection is respectfully traversed.

As the Examiner will appreciate, independent claim 1 has been amended to further clarify that the discharge of the sheet is from a sheet discharge port and that the charge eliminating member is disposed at that sheet discharging port and eliminates static electricity in the sheet discharged therefrom. The sheet stacking unit, which was already defined as being able to ascend and descend, is now further defined as passing the sheet discharge port. All of the aforementioned features are disclosed at least in Figure 3 and the corresponding description in the specification at page 23, lines 2-16.

Murakami et al. is directed to a sheet post-processing apparatus arranged within the main body of a copy machine. The apparatus is provided with a charge eliminating brush 10 for eliminating a charge of the sheet discharged from the upper and lower discharging rollers 22,23. It is also provided with stack tray 16 for stacking the sheet discharged from the upper and lower rollers 22,23, the stack tray 16 being liftable. However, in this apparatus the upper limit position of the upper surface of the stack tray 16 and the upper limit position of the upper surface of the uppermost sheet stacked in stack tray 16 is restricted on the basis of a detection result from the tray upper limit sensor 34. The upper limit position does not move pass the sheet discharging port 37. (See, column 16, line 42 et. seq.) Thus, as seen in Figure 1 of Murakami et al., the charge eliminating brush 10 in that reference does not come into contact with the sheet stacked on the stack tray 16 and does not meet at least the claim recitation of the charge eliminating member being contactable with an end of the sheet stacked on the sheet stacking unit.

Bromage is directed to a sorting apparatus with multiple trays stacked in the vertical direction. The upper and lowermost ends of the trays are, however, secured in

electrically-conductive frame members 26 and 27 (see, column 4, line 41 et. seq.). Thus, the advantageous effect of the present invention, namely the elimination of electrostatic charge from the sheet when the stack tray is elevated cannot be achieved. Thus, the electrically-conductive brushes 36 utilized in this reference are not understood to correspond to its charge eliminating member disposed at the sheet discharge port wherein the stacking unit ascends and descends passing the sheet discharging port. Nor is brush 36 understood to eliminate static electricity.

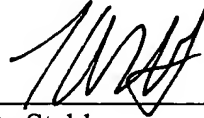
For the foregoing reasons, it is respectfully submitted that independent claim 1 as amended is neither taught nor suggested by either of the applied references.

The remaining claims in the above application are dependent claims which depend either directly or indirectly from claim 1 and are therefore patentable over the art of record for reasons noted above with respect to claim 1. In addition, each recite features of the invention still further distinguishing it from the applied art. Favorable and independent consideration thereof is respectfully sought.

Applicants respectfully submit that all outstanding matters in the above application have been addressed and that the application is in condition for allowance. Favorable reconsideration and early passage to issue of the above application are respectfully sought.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read 'L. Stahl', is written over a horizontal line.

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